

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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HYDRO-THERMAL CORPORATION,

Plaintiff

- vs -

Case No.: 07-C-0918

PRO-SONIX, LLC and  
BRUCE CINCOTTA,

Defendants.

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**AFFIDAVIT OF COUNSEL**

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STATE OF WISCONSIN    )  
                                  ) SS.  
MILWAUKEE COUNTY    )

**ROGER PETTIT**, being first duly sworn , upon oath deposes and states as follows, to-wit:

1. I am the attorney for the Defendants in the above-captioned action, which is scheduled for a Markman hearing on April 29, 2009. The following identified documents are the Exhibits to the Defendant's Markman Brief filed contemporaneously.

2. Exhibit A is a true and correct copy of the patent in issue, Patent No. 6,082,712 dated July 4, 2000.

3. Exhibit B is a true and correct copy of an Office Action Summary for Application No. 09\112,499, date of filing 07\09\98, mailed on 6/22/99.

4. Exhibit C is a true and correct copy of an Amendment to the Patent Application No. 09\112,499, mailed on or about 10/21/99.

5. Exhibit D is a true and correct copy of an Office Action Summary for Application No. 09\112,499, mailed on November 8, 1999.

6. Exhibit E is a true and correct copy of the Amendment of Application No. 09\112,499, entitled "Amendment After Final", mailed on or about 1/5/00.

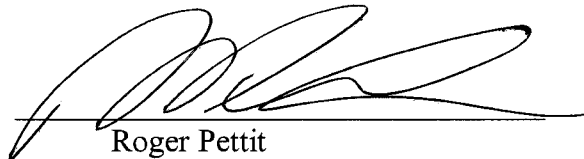
7. Exhibit F is a true and correct copy a drawing entitled "PSX-Jet Diffuser", which was attached as Exhibit A to Hydro-Thermal Claims Chart.

8. Exhibit G is a true and correct copy of the Claims Chart prepared by the Defendants and provided to the Plaintiff, pursuant to the court's Order.


9. All of these exhibits are either self-authenticating or their authenticity is not in question. The documents will be authenticated with foundation testimony at the Markman hearing, if necessary.

10. This Affidavit is made in support of the Defendant's Brief on Claim Construction (the Markman Brief).

Dated this 16 day of March, 2009.

  
Roger Pettit

Subscribed and sworn to me  
this 16<sup>th</sup> day of March, 2009.

  
Notary Public, State of Wisconsin  
My Commission expires: 3-07-12

